

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THE MAGNAVOX COMPANY, a  
Corporation, and SANDERS  
ASSOCIATES, INC., a  
Corporation,

Plaintiffs,

v.

BALLY MANUFACTURING  
CORPORATION, a Corporation,  
CHICAGO DYNAMIC INDUSTRIES,  
INC., a Corporation,  
ATARI, INC., a Corporation,  
ALLIED LEISURE INDUSTRIES,  
INC., a Corporation,  
EMPIRE DISTRIBUTING, INC.,  
a Corporation, and MIDWAY  
MFG. CO., a Corporation,

Defendants.

Civil Action  
No. 74 C 1030

NOTICE OF TAKING DEPOSITION

To: Donald L. Welsh, Esq.  
135 South LaSalle Street  
Chicago, Illinois 60603

George H. Gerstman, Esq.  
135 South LaSalle Street  
Chicago, Illinois 60603

William Marshall Lee, Esq.  
10 South Riverside Plaza  
Chicago, Illinois 60606

Edward C. Threedy, Esq.  
111 West Washington Street  
Chicago, Illinois 60602

PLEASE TAKE NOTICE that at 3:00 p.m. on the 25th  
day of June, 1974, at the offices of Neuman, Williams, Anderson  
and Olson, 77 West Washington Street, Chicago, Illinois, the  
plaintiffs in the above-entitled action will take the deposition  
of defendant Bally Manufacturing Corporation through one or more

*Butz* Dep. Ex. No. *1* Id.  
Date: *6/25/74*  
Reporter: *[Signature]*

of its officers, directors, or managing agents designated by it pursuant to the provisions of Rule 30(b)(6), F.R.Civ.P.

The matters on which examination is requested are as follows:

1. The sales and distribution of items manufactured and/or sold by either of defendants Atari, Inc. and Allied Leisure Industries, Inc.

2. The sales and distribution by defendant Bally Manufacturing Corporation of items manufactured and/or sold by either of defendants Atari, Inc. and Allied Leisure Industries, Inc.

3. The relationships and sales agreements between defendant Bally Manufacturing Corporation and either of defendants Atari, Inc. and Allied Leisure Industries, Inc.

4. The terms and conditions of any patent agreement between defendants Bally Manufacturing Corporation and Atari, Inc.

5. The terms and conditions of any patent indemnity agreements between defendants Bally Manufacturing Corporation and Atari, Inc.

Defendant Bally Manufacturing Corporation is requested to produce at that deposition all documents within its custody or control or the custody or control of any of its officers, directors, or managing agents as defined by the following categories:

1. Any patent license agreements or patent indemnity agreements between defendant Atari, Inc. and defendant

Bally Manufacturing Corporation and concerning patents related to gaming apparatus utilizing cathode ray tubes as a display device.

2. All documents including correspondence and memoranda relating to the agreements referred to in paragraph 1 hereof.

3. All documents including contracts, sales contracts, correspondence and memoranda relating to the terms and conditions under which apparatus made or sold by either of defendants Atari, Inc. and Allied Leisure Industries, Inc. passes to defendant Bally Manufacturing Corporation.

4. All documents including contracts, correspondence, and memoranda relating to any distributorship or sales representation agreements between either of defendants Atari, Inc. and Allied Leisure Industries, Inc. and defendant Bally Manufacturing Corporation.

5. All documents including contracts, correspondence, and memoranda relating to the acceptance or other approval by defendant Atari, Inc. of sales or orders obtained by defendant Bally Manufacturing Corporation for apparatus manufactured and/or sold by defendant Atari, Inc.

6. All documents including contracts, correspondence, and memoranda relating to the acceptance or other approval by defendant Allied Leisure Industries, Inc. of sales or orders obtained by Bally Manufacturing Corporation for apparatus manufactured and/or sold by defendant Allied Leisure Industries, Inc.

The deposition will be upon oral examination pursuant to the Federal Rules of Civil Procedure before a notary public or other officer authorized by law to administer oaths. The oral examination will continue from day to day until completed.

  
Theodore W. Anderson  
Attorney for Plaintiffs

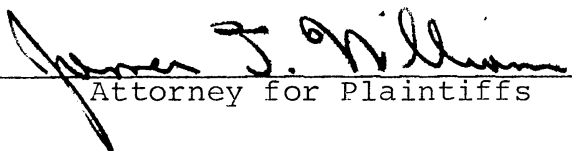
NEUMAN, WILLIAMS, ANDERSON & OLSON  
77 West Washington Street  
Chicago, Illinois 60602

(312) 346-1200

June 20, 1974

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing NOTICE OF TAKING DEPOSITION was served upon defendants Bally Manufacturing Corporation, Empire Distributing, Inc., Midway Mfg. Co., Atari, Inc., Allied Leisure Industries, Inc., and Chicago Dynamic Industries, Inc. by delivering copies thereof to the above-listed attorneys of record, all on this 20th day of June, 1974.

  
James J. Williams  
Attorney for Plaintiffs